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UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

TESEDA CORPORATION,

Plaintiff,

Civil No. 06-1258-HA

v.

ORDER

GARY BOWERS,

Defendant.

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HAGGERTY, Chief Judge:

Plaintiff has filed a Motion For Temporary Restraining Order and Order to Show Cause Why Preliminary Injunction Should Not Issue [7]. Oral Argument on this motion was heard on September 12, 2006. After considering the arguments of counsel and their submissions, the court finds as follows:

1. While affiliated with plaintiff Teseda Corporation (Teseda), defendant Gary Bowers (Bowers) executed an agreement that contained employment covenants limiting his ability to solicit Teseda's clients and customers for twelve months following the termination of his employment with Teseda, as well as

prohibiting Bowers from disclosing or using any confidential business information of Teseda except for the benefit of Teseda; and

2. Teseda will suffer irreparable harm and loss if Bowers is permitted to solicit Teseda's clients and customers.

Accordingly, plaintiff's Motion For Temporary Restraining Order and Order to Show Cause Why Preliminary Injunction Should Not Issue [7] is granted and the following temporary restraining order is issued immediately:


Gary Bowers is temporarily enjoined and restrained, directly and indirectly, and whether alone or in concert with others, from:

- (a) soliciting any business from any client or customer of Teseda with respect to any services or products similar to the services or products offered by Teseda;
- (b) continuing communication with any client or customer of Teseda that Bowers solicited, or initiated contact with, after his employment with Teseda terminated; and
- (c) using any proprietary, confidential or trade secret information of Teseda in his solicitation of any other clients or customers.

This Order remains in full force and effect until September 18, 2006, unless otherwise ordered by this court. On September 18, 2006 at 10:30 a.m. this court shall conduct a hearing at which defendant or his counsel will be given the opportunity to show cause why this Order should not be converted into a Preliminary Injunction.

IT IS SO ORDERED.

DATED this 12 day of September, 2006.

  
Ancer L. Haggerty  
United States District Judge